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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/653,224	08/31/2000	Robert C. Mayes	10006908-1	4787

22879 7590 07/11/2003

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INTELLECTUAL PROPERTY ADMINISTRATION
FORT COLLINS, CO 80527-2400

EXAMINER

NGUYEN, TAN D

ART UNIT	PAPER NUMBER
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3629

DATE MAILED: 07/11/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application N .

09/653,224

Applicant(s)

MAYES, ROBERT C.

Examiner

Tan Dean Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 March 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1-15,20 and 21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15,20 and 21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 101

The rejections of claims 1-19 under 35 U.S.C. 101 have been withdrawn due to applicant's amendment.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-6, 7-11, 12-15, 20-21 are rejected under 35 U.S.C. 103(a) as obvious over GARRIDO (US Patent 6,012,890) in view of ARTICLE 7/2000 and vice versa.

As for claim 1, GARRIDO discloses a method for manufacturing book comprising (b) selecting the desired page size or book size based on customer's choice and (c) manufacturing the book at the desired size choice (see col. 7, lines 20-65 or (7: 20-65), 9: 5-20). GARRIDO teaches the claimed invention except for (a) receiving the dimension of the book storage space and carrying step (b) according to the received dimension. As for the limitation of cover media, this is inherently included the manufacturing of book by GARRIDO since book normally consists of outside cover and inside pages and their dimension are nearly the same.

ARTICLE 7/2000 is cited to teach the general concept of selective manufacturing item (bike) according to customer's weight, measurements and specifications which comprising the steps of (a) inherently receiving customer's measurement of the item

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(bike) storage space (car trunk, tight storage space, or suitcase for traveling on a plane), (b) preparing/designing the bike according to the received customer's measurement, and (c) manufacturing the item (bike) using the designed size to that the item (bike) can be physically fit or placed within the item storage space (see page 1). It would have been obvious to modify the manufacturing steps of GARRIDO to include step (a) so that the manufactured book can be physically placed or fitted within a book storage space as desired for convenience as taught by ARTICLE 7/2000. Alternatively, it would have been obvious to apply the general selectively manufacturing concept of ARTICLE 7/2000 to other similar personal item such as book as taught by GARRIDO to manufacture book that can be fitted in desired storage space for convenience.

As for claim 2, the production of more than one item is taught in GARRIDO on col. 7 or 9 above, or ARTICLE 7/2000 (2,000 bikes this year). Alternatively, the teaching for duplication of parts or more quantities are known and would have been obvious. As for claim 3, this is fairly taught in page 1 of ARTICLE 7/2000. As for claims 4-5, these are taught on page 1, 3rd paragraph. As for claim 6, this is taught on ARTICLE 7/2000 page 1. As for claims 7-9, it would have been obvious to a skilled artisan to set up system as in claims 7-9 to carry out the method steps as shown on claim 1 and further in view of GARRIDO col. 9, lines 5-15 which further teaches about the printing operation. As for claims 10-11, these are fairly taught in GARRIDO col. 2, line 65 to col. 3, line 30, col. 5, lines 40-67, col. 6, line 40 to col. 7, line 20. As for claims 12-15, 19-20, these are fairly taught on the same references as indicated on claims 10-11. Moreover, it would have been obvious to set up a program (computer readable

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media) to carry out the steps as shown in claim 1 above in view of the general teaching of Instant electronic (Internet) bookstore by GARRIDO.

Conclusion

Response to Arguments

3. Applicant's arguments, see paper no. 4, filed 3/10/03, with respect to the rejection(s) of claim(s) 1-19 under GARRIDO or Financial Time Article have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of GARRIDO and ARTICLE 7/2000 or vice versa.

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4. Telephone inquiries regarding the status of applications or other general questions, by persons entitled to the information, should be directed to the group clerical personnel and not to the examiner. As the official records and applications are located in the clerical section of the examining Tech Center, the clerical personnel can readily provide status information without contacting the examiner. See MPEP 203.08. The Tech Center clerical receptionist number is (703) 308-1113.

In receiving an Office Action, it becomes apparent that certain documents are missing, e. g. copies of references, Forms PTO 1449, PTO-892, etc., requests for copies should be directed to Tech Center 3600 Customer Service at (703) 306-5771, or e-mail CustomerService3600@uspto.gov.

Any inquiry concerning the merits of the examination of the application should be directed to Dean Tan Nguyen at telephone number (703) 308-2053. My work schedule is normally Monday through Friday from 7:00 am through 4:30 pm.

Should I be unavailable during my normal working hours, my supervisor John Weiss may be reached at (703) 308-2702. The FAX phone numbers for formal communications concerning this application are (703) 305-7687. Informal communications may be made, following a telephone call to the examiner, by an informal FAX number to be given.

Other possibly helpful telephone numbers are:

Allowed Files & Publication	(703) 305-8322
Assignment Branch	(703) 308-9287
Certificates of Correction	(703) 305-8309
Drawing Corrections/Draftsman	(703) 305-8404/ 8335
Fee Questions	(703) 305-5125
Intellectual Property Questions	(703) 305-8217
Petitions/Special Programs	(703) 305-9282
Terminal Disclaimers	(703) 305-8408
Information Help Line	1-800-786-9199

dtn
July 1, 2003


DEAN T. NGUYEN
PRIMARY EXAMINER